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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,939	04/16/2001	Mark Vange	CIRC022	5609
25235	7590	11/05/2004		
HOGAN & HARTSON LLP ONE TABOR CENTER, SUITE 1500 1200 SEVENTEENTH ST DENVER, CO 80202			EXAMINER NEURAUTER, GEORGE C	
			ART UNIT 2143	PAPER NUMBER

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/835,939

Applicant(s)

VANGE, ET AL

Examiner

George C. Neurauter, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07262002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-11, drawn to a system for exchanging domain-specific state information with a plurality of user agents, classified in class 709, subclass 228.
- II. Claims 12-17, drawn to a method for exchanging cookie between processes in different domains using a user agent as an intermediary, classified in class 709, subclass 228.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process (MPEP § 806.05(e)). In this case the user agent, as shown in the preamble, can practice the method of Group II.

During a telephone conversation with Stuart T. Langley (Reg. No. 33 940) on 21 October 2004 a provisional election was

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made without traverse to prosecute the invention of Group I, claims 1-11. Affirmation of this election must be made by applicant in replying to this Office action. Claims 12-17 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 recites the limitation "the cross-domain state information". There is insufficient antecedent basis for this limitation in the claim.

In order to expedite prosecution, the Examiner will assume that claim 6 depends from claim 5, which would provide proper antecedent basis.

Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication 2002/0007317 A1 to CALLAGHAN et al.

Regarding claim 1, Callaghan discloses a system for exchanging domain-specific state information with a plurality of user agents, the system comprising:

an intermediary computer (referred to throughout the reference as "proxy server") having an interface for communicating with user agents ("browsers") over a network, the intermediary computer having a first process running within a dynamically assigned domain ("new location") and a second process running within a statically assigned domain ("fixed location"). (paragraphs 0046 and 0073-0083, specifically paragraph 0075 and 0076)

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Regarding claim 2, Callaghan discloses the system of claim 1 wherein the first process comprises methods for converting domain-specific state information associated with the dynamically assigned domain into a parameter and communicating the parameter to the second process. (paragraphs 0070 and 0075)

Regarding claim 3, Callaghan discloses the system of claim 1 wherein the second process includes methods for receiving domain-specific state information associated with the dynamically assigned domain as a parameter ("real_url"). (paragraphs 0070 and 0075)

Regarding claim 4, Callaghan discloses the system of claim 3 wherein the second process includes methods for receiving domain-specific state information associated with the statically assigned domain. (paragraph 0076)

Regarding claim 5, Callaghan discloses the system of claim 4 wherein the second process includes methods for combining the domain-specific state information associated with the dynamically assigned domain with the domain-specific state information associated with the statically assigned domain to develop cross-domain state information. (paragraph 0085, specifically lines 1-3)

Regarding claim 6, Callaghan discloses the system of claim 5, as assumed by the Examiner as noted above, wherein the second

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process includes methods for storing the cross-domain state information as a cookie within the statically assigned domain in the user agent. (paragraph 0085, specifically lines 1-3)

Regarding claim 7, Callaghan discloses the system of claim 1 wherein the statically defined domain is associated with an explicit web server. (paragraph 0046, specifically "World Wide Web server")

Regarding claim 8, Callaghan discloses the system of claim 1 wherein the statically defined domain is associated with an implicit web server. (paragraphs 0106 and 0107, specifically "proxy server")

Regarding claim 9, Callaghan discloses the system of claim 8 wherein the implicit web server is implemented at the same network address as the first process. (paragraphs 0106 and 0107, specifically "proxy server")

Regarding claim 10, Callaghan discloses the system of claim 2, wherein the methods for communicating the parameter further comprise methods for sending an HTTP redirect request to the user agent wherein the redirect request includes an identification of the statically assigned domain ("Location mime data"), the parameterized domain-specific state information ("one or more cookies"), and a parameter indicating the

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dynamically assigned domain ("real_url"). (paragraphs 0070, 0075, and 0111)

Regarding claim 11, Callaghan discloses the system of claim 2 further comprising methods within the first processes operable to read the domain-specific state information to determine based at least in part on the domain-specific state information when to communicate the domain-specific state information to the second process. (paragraph 0080)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 5 999 971 A to Buckland et al;

US Patent 6 014 686 A to Elnozahy et al;

US Patent 6 073 241 A to Rosenberg et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C. Neurauter, Jr. whose telephone number is (571) 272-3918. The examiner can normally be reached on Monday through Friday from 9AM to 5:30PM Eastern.

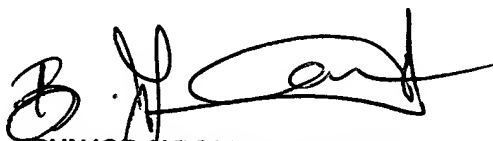
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the

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organization where this application or proceeding is assigned is
703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gcn



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PRIMARY EXAMINER